IN THE HIGH COURT OF JUDICATURE AT BOMBAY
A.S.
Writ Petition No.7443 of 2005

Mr Shiv Jyoti Sahakari Patpedi
Maryadit ...Petitioner
vs
Mrs Akla A Gaikwad and ors..Respondents

Mr S.A.Pawar for petitioner
Mr.S.A.Sawant for respondent no.l
Ms V.S.Mhaispurkar AGP

CORAM: S.U.KAMDAR J.
Dated 30.ll.2005

P.C:

. The learned counsel for the petitioner states that he does not want to press the petition. However it is clarified that the petitioner will be entitled to recover the loan amount by filing appropriate dispute under section 9l of the Mah Coop Societies Act and by leading oral evidence, if necessary. If such dispute is filed then the same be heard and decided on its own merit and by permitting the parties to lead their oral evidence and will not be dismissed on the ground that recovery certificate is refused under section l0l of the Mah Coop Societies Act.

. All contentions on merits are left open to the parties.

. Petition is disposed of accordingly with no

order as to costs.